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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,899	04/19/2006	Toni Paila	886A.0023.U1(US)	6105

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EXAMINER	
BATISTA, MARCOS	
ART UNIT	PAPER NUMBER
2617	
MAIL DATE	DELIVERY MODE
04/02/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/576,899	PAILA ET AL.	
	Examiner	Art Unit	
	MARCOS BATISTA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/17/2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,13-20,43-45 and 47-52* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-11,13-20,43-45 and 47-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/17/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 11 and 45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-11, 13-20 and 43-45, 47-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over van Bokhorst et al. (US 6192230 B1), hereafter “Bokhorst,” in view of Gubbi et al. (US 6865609 B1), hereafter “Gubbi,” further in view of Liu et al. (US 20040190467 A1), hereafter “Liu.”

Consider claim 1, Bokhorst discloses an apparatus (**fig. 2**) comprising: a controller (**fig. 2 #34**) configured to detect which service components of the plural

service components of the one or more services are required service components (**see col. 5 lines 31-35, col. 6 lines 64-67**); the controller configured based on the detecting, to determine service components that are not required to be received (**see col. 6 lines 64-67**). Bokhorst, however, does not particular refer to a receiver configured to receive plural service components of one or more services that are datacast sequentially within a burst.

Gubbi, in analogous art, teaches a receiver configured to receive plural service components of one or more services that are datacast sequentially within a burst (see col. 3 lines 23-27, col. 11 lines 50-60, col. 18 lines 64-67, col. 19 lines 1-4).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Bokhorst and have it include a receiver configured to receive plural service components of one or more services that are datacast sequentially within a burst, as taught by Gubbi. The motivation would have been in order to facilitate the allocation bandwidth (see col. 4 lines 21-29).

Bokhorst as modified by Gubbi, however, does not particular refer to the receiver configured to receive timing information, where the timing information is identifying a timing of transmission of service components; the controller further configured, based on the received timing information, to one of enable the receiver to receive signals at one or more times in a burst period corresponding to the required service components, and to disable the receiver at one or more times in the burst period corresponding to the service components that are not required to be received.

Liu, in analogous art, teaches the receiver configured to receive timing information, where the timing information is identifying a timing of transmission of service components (**see fig. 6A, pars. 0087 lines 1-6, 0089 lines 1-6**); the controller further configured, based on the received timing information, to one of enable the receiver to receive signals at one or more times in a burst period corresponding to the required service components, and to disable the receiver at one or more times in the burst period corresponding to the service components that are not required to be received (**see figs. 6B-D, pars. 0088 lines 5-7, 0089 lines 1-6, 0090 lines 1-13**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Bokhorst as modified by Gubbi and have it include the receiver configured to receive timing information, where the timing information is identifying a timing of transmission of service components; the controller further configured, based on the received timing information, to one of enable the receiver to receive signals at one or more times in a burst period corresponding to the required service components, and to disable the receiver at one or more times in the burst period corresponding to the service components that are not required to be received, as taught by Liu. The motivation would have been in order to minimize power consumption when a receiver is not scheduled to receive any data (see par. 0024 lines 1-5).

Consider claim 3, Bokhorst as modified by Gubbi and Liu discloses claim 1. Gubbi also teaches in which the controller is configured to detect which of the service

components are required to be received on the basis of a comparison of receiver capability information and received service component data type information (see col. 11 lines 55-66). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 55-66).

Consider claim 4 Bokhorst as modified by Gubbi and Liu discloses claim 3. Gubbi also teaches in which the controller is configured to source the received service component data type information on the basis of a received service component identifier (see fig. 4, col. 11 lines 33-35 and 41-49). The motivation would have been in order to provide acknowledgements (see fig. 4, col. 11 lines 33-35 and 41-49).

Consider claim 5, Bokhorst as modified by Gubbi and Liu discloses claim 1. Gubbi also teaches in which the controller is configured to detect which of the service components are required to service components on the basis of a comparison of receiver classification information and received service component classification information (see col. 11 lines 52-60). The motivation would have been in order to manage latency depending on the type of data type (see col. 11 lines 52-60).

Consider claim 6, Bokhorst as modified by Gubbi and Liu discloses claim 5. Gubbi also teaches in which the controller is configured to source the received service component classification information on the basis of a received service component

identifier (see fig. 4, col. 11 lines 33-35 and 41-49). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 52-60).

Consider claim 7, Bokhorst as modified by Gubbi and Liu discloses claim 5. Gubbi also teaches in which the receiver classification information is determined by a setting of the apparatus (see col. 11 lines 62-67 and col. 12 line 1). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 52-60).

Consider claim 8, Bokhorst as modified by Gubbi and Liu discloses claim 7. Gubbi also teaches in which the classification setting is automatically adjustable in dependence on one or more apparatus parameters (see col. 11 lines 62-67 and col. 12 line 1). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 52-60).

Consider claim 9, Bokhorst as modified by Gubbi and Liu discloses claim 1. Gubbi also teaches in which the controller is arranged to notify characteristics of the apparatus to a remote station (see fig.1 col. 2 lines 40-48). The motivation would have been in order to provide acknowledgements (see fig.1 col. 2 lines 40-48).

Consider claim 10, Bokhorst as modified by Gubbi and Liu discloses claim 1. Gubbi also teaches in which the terminal is configured to notify a service being

consumed to the remote station (see col. 19 lines 26-30). The motivation would have been in order to provide acknowledgements (see fig.1 col. 2 lines 40-48).

Consider claims 11, 13-20, these are method claims corresponding to apparatus claims 1, 3-10. Therefore, they have been analyzed and rejected based upon the apparatus claims 1-10 respectively.

Consider claim 43, Bokhorst as modified by Gubbi and Liu discloses claim 1. Bokhorst also teaches wherein the apparatus comprises a mobile receiver terminal (see fig. 2 #30, col. 3 lines 42-45).

Consider claim 44, Bokhorst as modified by Gubbi and Liu discloses claim 11. Bokhorst also teaches method of claim 11 performed in a mobile receiver terminal (see fig. 2 #30, col. 3 lines 42-45).

Consider claim 45, this claim discusses the same subject matter as claim 1. Therefore, it has been analyzed and rejected based upon the rejection to claim 1.

Consider claim 47, Bokhorst as modified by Gubbi and Liu discloses claim 45. Gubbi also teaches comprising comparing receiver capability information and received service component data type information, and determining which of the service components are required to be received based upon the comparison (see col. 11 lines

55-66). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 55-66).

Consider claim 48, Bokhorst as modified by Gubbi and Liu discloses claim 47. Gubbi also teaches comprising using a service component identifier to source the received service component data type information (see fig. 4, col. 11 lines 33-35 and 41-49). The motivation would have been in order to provide acknowledgements (see fig. 4, col. 11 lines 33-35 and 41-49).

Consider claim 49, Bokhorst as modified by Gubbi and Liu discloses claim 45. Gubbi also teaches comprising comparing receiver classification information and received service component classification information, and determining which of the service components are required to be received based upon the comparison (see col. 11 lines 52-60). The motivation would have been in order to manage latency depending on the type of data type (see col. 11 lines 52-60).

Consider claim 50, Bokhorst as modified by Gubbi and Liu discloses claim 49. Gubbi also teaches comprising using a service component identifier to source the received service component classification information (see fig. 4, col. 11 lines 33-35 and 41-49). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 52-60).

Consider claim 51, Bokhorst as modified by Gubbi and Liu discloses claim 50. Gubbi also teaches comprising automatically adjusting the classification setting in dependence on a sensing of a change in one or more terminal parameters (see col. 11 lines 62-67 and col. 12 line 1). The motivation would have been in order to manage latency depending on the data type (see col. 11 lines 52-60).

Consider claim 52, Bokhorst as modified by Gubbi and Liu discloses claim 45. Bokhorst also teaches a computer program as claimed in claim 45 embodied embodied in a mobile receiver terminal (see fig. 2 #30, col. 3 lines 42-45).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Marcos Batista, whose telephone number is (571) 270-5209. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached at (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/Marcos Batista/
Examiner

/Rafael Pérez-Gutiérrez/
Supervisory Patent Examiner, Art Unit 2617

03/18/2009